

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: : Chapter 11
: Bankruptcy Case No. 00-2692-PJW
GENESIS HEALTH VENTURES, INC., :
et al., :
: Debtors. :

JAMES J. HAYES, :
: Appellant, :
: v. : Civil Action No. 06-397-JJF
: GENESIS HEALTH VENTURES, INC., :
et al., :
: Appellees. :

O R D E R

WHEREAS, Appellees filed a Motion To Dismiss Appeal Of James J. Hayes As Untimely Under Rule 8002 Of The Federal Rules Of Bankruptcy Procedure (D.I. 3);

WHEREAS, Appellant has failed to timely file an Answering Brief to the Motion;

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. Appellant shall file an Answering Brief to the Motion **no later than Friday, November 10, 2006**. If Appellant fails to file an Answering Brief, the Court shall decide the Motion on the papers submitted.

2. Any Reply Brief by Appellees shall be due **fifteen (15) days** after the filing of any Answering Brief by Appellant.

October 30, 2006
DATE


UNITED STATES DISTRICT JUDGE